

U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
SEP 16 2011
AT ____ O'CLOCK
Lawrence K. Baerman, Clerk - Syracuse
5:07-CV-0207, GTS/ATB

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RONALD A. SCACCIA,

Plaintiff,

v.

COUNTY OF ONONDAGA, NEW YORK;
TIMOTHY H. COWIN; KEVIN E. WALSH; and
MARK JOHNSTON, M.D.,

Defendants.

Civil Action No.

5:07-CV-0207, GTS/ATB

AT ____ O'CLOCK

Lawrence K. Baerman, Clerk - Syracuse

**STIPULATION OF
DISCONTINUANCE**

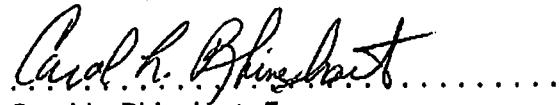
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the only pending claim in the above-entitled action -- that is, Plaintiff's Eighth Amendment claim against Defendant Johnston in his individual capacity -- be, and the same hereby is discontinued, with prejudice, and without costs or attorney's fees to either party as against the other.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: August 26, 2011

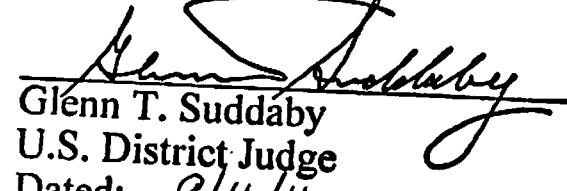
Dated: August 24th, 2011

THE HON. GORDON J. CUFFY
Onondaga County Attorney
Attorney for Defendant Johnston

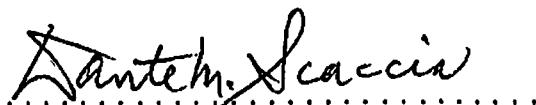

Carol L. Rhinehart, Esq.
Deputy County Attorney
Bar Roll No. 509096

County of Onondaga Department of Law
421 Montgomery Street, 10th Floor
Syracuse, New York 13202
(315) 435-2170

IT IS SO ORDERED:


Glenn T. Suddaby
U.S. District Judge
Dated: 9/16/11

SCACCIA LAW FIRM
Attorneys for Plaintiff


Dante M. Scaccia, Esq.
Bar Roll No. 505749

State Tower Building
109 South Warren Street, Suite 402
Syracuse, New York 13202
(315) 422-4000